

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-21 are pending in the application with claims 1, 4, 8, and 13-21 being the independent claims.

The Office Action on page 4, in section 7, indicates that claims 8-12, 15, and 21 are allowed. Applicants thank the Examiner for such allowance.

The present invention relates to a network interface apparatus for connecting a communication terminal to an Internet Protocol (IP) network. In an exemplary embodiment of the invention illustrated in Figure 3, for example, a network interface apparatus 10 may include an input circuit 10c, a transmitter 104d, an interface circuit 10a, a packetizer 102d, and a control circuit 10e. In an exemplary embodiment of the invention, input circuit 10c may receive data to be transferred from the communication terminal 20. See, e.g., Specification, page 10, lines 23-30. Transmitter 104d may transmit a packet to the IP network 30. See, e.g., Specification, page 11, lines 25-30. Interface circuit 10a may interface the transmitter 104d with the IP network 30 and may determine a delay in transmission between the IP network 30 and the network interface apparatus 10 to produce delay information 12f. See, e.g., Specification, page 8, line 31 to page 9, line 27. Packetizer circuit 102d may packetize data to be transferred into the packet. See, e.g., Specification, page 12, lines 11-15. Control circuit 10e operates in response to the delay information for controlling the packetizer circuit to adjust the size of the packet on a basis of the delay information 12f. See, e.g., Specification, page 12, lines 3-6.

The Office Action on pages 2-4, in sections 1-6, rejects claims 1-7, 13, 14, 16, 17, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,360,271 to Schuster et al. ("the Schuster patent") in view of U.S. Patent No. 6,370,271 to Shaffer et al. ("the Shaffer patent").

As per claim 1, the Office Action asserts on pages 2-3, in sections 1-2, that the Schuster patent teaches all features of claim 1 except the recited control circuit, which the Office Action asserts is taught by the Shaffer patent. The Office Action further asserts that it would be obvious to modify the network interface apparatus of the Schuster patent by the delay control apparatus of the Shaffer patent for the purpose of minimizing end-to-end delays caused by network traffic and network topology between two IP devices. Applicants respectfully traverse this rejection because the cited combination does not teach at least three features of claim 1.

First, the Schuster patent does not teach an interface circuit for interfacing a transmitter with an IP network, and for determining a delay in transmission between the IP network and a network interface apparatus to produce delay information. The Office Action on page 2 in section 2 asserts that, based on the system disclosed by the Schuster patent, an interface circuit is inherent for connection to an IP network. Although an interface circuit may be inherent to provide a connection between a communication device and an IP network, the Schuster patent does not teach an interface circuit for determining a delay in transmission between the IP network and a network interface apparatus to produce delay information.

Second, Schuster does not teach the recited input circuit for receiving data to be transferred from the communication terminal. The Office Action aligns the recited input circuit with input media 14 in Figure 2 of the Schuster patent. Input media 14 of the Schuster patent is not an input circuit for receiving data to be transferred from the communication terminal. Instead, input **media** 14 of the Schuster patent is the data transferred from the communication terminal. See, the Schuster patent, col. 8, lines 57-65. Accordingly, the Schuster patent does not teach the recited input circuit.

Third, the Shaffer patent does not teach a control circuit that is operative in response to delay information. As recited in claim 1, delay information is produced from a delay in transmission between the IP network and the network interface apparatus. The Office Action aligns the recited control circuit with a control program 12 in Figure 1 of the Shaffer patent. Referring to

Figure 1 of the Shaffer patent, the control program 12 in an IP telephone 10 is configured to process end-to-end transmission delay data to determine permissible packet length for transmission of voice information. See, the Shaffer patent, col. 5, lines 39-42. Such a control program is not a control circuit that is operative in response to the recited delay information. Further, the control program 12 of the Shaffer patent is not embodied in a network interface apparatus, but is instead in an IP telephone 10. Accordingly, the Shaffer patent does not teach the recited control circuit.

In view of the above, Applicants respectfully submit that claim 1 is allowable over the combination of the Schuster patent and the Shaffer patent. Claims 2 and 3 depend from claim 1 and are allowable as being dependent from an allowable claim.

Claim 4 contains similar features as claim 1 and is allowable over the combination of the Schuster patent and the Shaffer patent for similar reasons as discussed above with respect to claim 1. Claims 5-7 depend from claim 4 and are allowable as being dependent from an allowable claim.

Claims 13, 14, 16, 17, 19, and 20 contain similar features as claim 1 and are allowable over the combination of the Schuster patent and the Shaffer patent for similar reasons as discussed above with respect to claim 1.

It is therefore submitted that this application is in condition for allowance, and such allowance is respectfully requested.

Should the Examiner have any questions regarding this matter, the Examiner is invited to contact the undersigned at the number listed below.

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Respectfully submitted,

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